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The designated uses and degree of support for Segment 060703 of the Vermilion-Teche Basin are as indicated in the table below^{1/}:

| Degree of Support of Each Use | | | | | | |
|-------------------------------|------------------------------|--------------------------------|------------------------------------|-----------------------|------------------------|-------------|
| Primary Contact Recreation | Secondary Contact Recreation | Propagation of Fish & Wildlife | Outstanding Natural Resource Water | Drinking Water Supply | Shell fish Propagation | Agriculture |
| Not Supported | Full | Not Supported | N/A | N/A | N/A | N/A |

^{1/}The designated uses and degree of support for Segment 060703 of the Vermilion-Teche Basin are as indicated in LAC 33:IX.1123.C.3, Table (3) and the 2006 Water Quality Management Plan, Water Quality Inventory Integrated Report, Appendix A, respectively.

VI. ENDANGERED SPECIES:

The receiving waterbody, Subsegment 060703 of the Vermilion-Teche Basin, is not listed in Section II.2 of the Implementation Strategy as requiring consultation with the U. S. Fish and Wildlife Service (FWS). This strategy was submitted with a letter dated January 5, 2010 from Rieck (FWS) to Nolan (LDEQ). Therefore, in accordance with the Memorandum of Understanding between the LDEQ and the FWS, no further informal (Section 7, Endangered Species Act) consultation is required. It was determined that the issuance of the LPDES permit is not likely to have an adverse effect on any endangered or candidate species or the critical habitat. The effluent limitations established in the permit ensure protection of aquatic life and maintenance of the receiving water as aquatic habitat.

VII. HISTORIC SITES:

The discharge is from an existing facility location, which does not include an expansion beyond the existing perimeter. Therefore, there should be no potential effect to sites or properties on or eligible for listing on the National Register of Historic Places, and in accordance with the 'Memorandum of Understanding for the Protection of Historic Properties in Louisiana Regarding LPDES Permits' no consultation with the Louisiana State Historic Preservation Officer is required.

VIII. PUBLIC NOTICE:

Upon publication of the public notice, a public comment period shall begin on the date of publication and last for at least 30 days thereafter. During this period, any interested persons may submit written comments on the draft permit and may request a public hearing to clarify issues involved in the permit decision at this Office's address on the first page of the statement of basis. A request for a public hearing shall be in writing and shall state the nature of the issues proposed to be raised in the hearing.

Public notice published in:

Local newspaper of general circulation

Office of Environmental Services Public Notice Mailing List

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For additional information, contact:

Mr. Eura DeHart
Water Permits Division
Department of Environmental Quality
Office of Environmental Services
P. O. Box 4313
Baton Rouge, Louisiana 70821-4313

IX. PROPOSED PERMIT LIMITS:

Subsegment 060703, Bayou du Portage, is not listed on LDEQ's Final 2006 303(d) list as impaired. However, subsegment 060703 was previously listed as impaired for organic enrichment/low dissolved oxygen, pathogen indicators, and suspended solids/turbidity/siltation for which the below TMDL's have been developed. The Department of Environmental Quality reserves the right to impose more stringent discharge limitations and/or additional restrictions in the future to maintain the water quality integrity and the designated uses of the receiving water bodies based upon additional TMDLs and/or water quality studies. The DEQ also reserves the right to modify or revoke and reissue this permit based upon any changes to established TMDLs for this discharge, or to accommodate for pollutant trading provisions in approved TMDL watersheds as necessary to achieve compliance with water quality standards.

The following TMDLs have been established for subsegment 060703:

Bayou du Portage TMDL for Dissolved Oxygen, April 12, 2002

"The WLA for minor point sources represents the loads from small oxygen demanding discharges that were not explicitly modeled. In general, the WLA was based on current permit limits with no reductions. Because the discharges do not have a permit limit for ammonia nitrogen, effluent concentrations for ammonia nitrogen were assumed based on the BOD₅ permit limits and typical combinations of BOD₅ and ammonia nitrogen listed in the LTP (LDEQ 2000b).

Because the WLAs for minor point sources represented loads that were not simulated in the model, these loads were added to the model loads for the TMDL. The MOS for minor point sources was set to 20% of the total minor point source loading. The LA for NPS was calculated as 90% of the NPS load simulated in the model. The other 10% of the NPS load simulated in the model was designed as an explicit MOS."

The TMDL does not indicate that the minor point sources require reduction. Therefore, the facility will be permitted according to the Statewide Sanitary Effluent Limitations Policy.

Bayou du Portage TMDL for Fecal Coliform, April 17, 2003

"The Louisiana Water Quality Regulations require permitted point source discharges of treated sanitary wastewater to maintain a fecal coliform count of 200cfu/100 mL in their effluent, i.e., they must meet the standard at the end-of-pipe. Therefore, there will be no change in permit requirements based upon a wasteload allocation resulting from this TMDL."

TMDL for TSS, Turbidity, and Siltation for the Bayou Tech Watershed, May 3, 2001

"Point sources do not represent a significant source of TSS as defined in this TMDL. Point sources discharge primarily organic TSS, which does not contribute to habitat impairment resulting from sedimentation. Because point sources are minor contributors and discharges of organic suspended

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solids from point sources are already addressed by LDEQ through their permitting of point sources to maintain water quality standards for DO, the wasteload allocations for point source contributions were set to zero. This TMDL only addresses the landform contribution of TSS/sediment and does not address the insignificant point source contributions."

Final Effluent Limits:**OUTFALL 001**

Final limits shall become effective on the effective date of the permit and expire on the expiration date of the permit.

| Effluent Characteristic | Monthly Avg. | Daily Max. | Basis |
|--------------------------------|---------------------|-------------------|--|
| BOD ₅ | 30 mg/l | 45 mg/l | Limits are set through BPJ and are consistent with the Statewide Sanitary Effluent Limitations Policy (SSELP) for sewage treatment facilities of this size. |
| TSS | 30 mg/l | 45 mg/l | Since there is no numeric water quality criterion for TSS, and in accordance with the current Water Quality Management Plan, the TSS effluent limitations shall be based on a case-by-case evaluation of the treatment technology being utilized at a facility. Therefore, a Technology Based Limit has been established through Best Professional Judgement for the type of treatment technology utilized at this facility. |

*Concentration limits are used in accordance with LAC 33:IX.2709.F.1.b which states that mass limitations are not necessary when applicable standards and limitations are expressed in other units of measurement. LAC 33:IX.709.B references LAC 33:IX.711 which express BOD₅ and TSS in terms of concentration.

Other Effluent Limitations:**1) Fecal Coliform**

The discharge from this facility is into a water body which has a designated use of Primary Contact Recreation. According to LAC 33:IX.1113.C.5.b.i, the fecal coliform standards for this water body are 200/100 ml and 400/100 ml. Therefore, the limits of 200/100 ml (Monthly Average) and 400/100 ml (Daily Maximum) are proposed as Fecal Coliform limits in the permit. These limits are being proposed through Best Professional Judgement in order to ensure that the waterbody standards are not exceeded, and due to the fact that existing facilities have demonstrated an ability to comply with these limitations using present available technology.

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2) pH

The pH shall not be less than 6.0 standard units nor greater than 9.0 standard units at any time. (Limits as established through BPJ considering BCT for similar waste streams in accordance with LAC 33:IX.5905.C.).

3) Solids and Foam

There shall be no discharge of floating solids or visible foam in other than trace amounts in accordance with LAC 33:IX.1113.B.7.

4) Metals Threshold Values

This Office has established the following list of metals with threshold limits intended as action levels. Should a substance exceed the established threshold limit, the permittee shall notify the Office of Environmental Compliance of the exceedence, in writing, within five (5) days. At this time, the facility shall institute a study to determine the source of the substance. Within sixty (60) days of written notification the permittee shall submit a written account of the nature of the study and the measures being taken to secure abatement. Failure to comply with any provision of this paragraph shall constitute a violation of this permit. The Department reserves the right to establish effluent limitations for any of the parameters listed below based upon the results of submitted analyses.

a. 40 CFR Part 136 Analytical Requirements

Unless otherwise specified in this permit, monitoring shall be conducted according to analytical, apparatus and materials, sample collection, preservation, handling, etc., procedures listed at 40 CFR Part 136 (in its entirety as per LAC 33:IX.2531, Subchapter N, Adoption by Reference) in effect on the effective date of this permit. Appendices A, B, and C to Part 136 are specifically referenced as part of this requirement. Amendments to 40 CFR Part 136 promulgated after the effective date of this permit shall supersede these requirement as applicable.

The permittee may use other EPA approved test methods that provide more sensitive test results than those referenced in the permit.

- b. If any individual analytical test result is less than the minimum quantification level (MQL) listed below, a value of zero (0) may be used as the test result for those parameters.

c. Metals List

| Parameters | Threshold Limit (ug/l) | MQL Required (ug/l) |
|---------------------------|-----------------------------------|--------------------------------|
| Total Arsenic | 100 | 10 |
| Total Cadmium | 100 | 1 |
| Total Copper | 500 | 10 |
| Total Lead | 150 | 5 |
| Total Mercury | 10 | 0.2 |
| Total Molybdenum | 50 | 10 |
| Total Nickel (freshwater) | 500 | 40 |
| Total Selenium | 100 | 2 |
| Total Zinc | 500 | 20 |

X. PREVIOUS PERMITS:

No previous permits have been issued for the facility.

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XI. ENFORCEMENT AND SURVEILLANCE ACTIONS:**A) Inspections**

A review of the files indicates no recent inspections have been conducted at the facility.

B) Compliance and/or Administrative Orders

A review of the files indicates the following enforcement actions were issued to the facility:

A Warning Letter (Enforcement Tracking No. MM-L-07-0020) was issued on March 27, 2007 to Bord's Concrete & Services, Inc. for areas of concern noted during an inspection conducted on February 16, 2007 for unauthorized dumping on Aldus Johnson Road.

A Consolidated Compliance Order & Notice of Potential Penalty (Enforcement Tracking No. SE-CN-07-0323) was issued to Bord's Concrete & Services, Inc. on August 10, 2007. The following violations were noted in the Compliance Order:

- Caused and/or allowed the disposition of regulated solid waste without a permit and/or authority of the Department; Transported and dumped septage at 1050 Aldus Johnson Road and at the facility located at 1135 Bordelon Road.
- Failed to notify the Office of Environmental Services in writing of transporting and/or disposing of solid waste within 30 days after becoming subject to the applicable regulations
- Transported regulated solid waste to a facility not permitted to receive such waste

C) DMR Review

A review of the files revealed no DMRs on file for this facility.

XII. ADDITIONAL INFORMATION:

The Louisiana Department of Environmental Quality (LDEQ) reserves the right to impose more stringent discharge limitations and/or additional restrictions in the future to maintain the water quality integrity and the designated uses of the receiving water bodies based upon additional water quality studies and/or TMDL's. The LDEQ also reserves the right to modify or revoke and reissue this permit based upon any changes to established TMDL's for this discharge, or to accommodate for pollutant trading provisions in approved TMDL watersheds as requested by the permittee and/or as necessary to achieve compliance with water quality standards. Therefore, prior to upgrading or expanding this facility, the permittee should contact the Department to determine the status of the work being done to establish future effluent limitations and additional permit conditions.

In accordance with LAC 33:IX.2903, this permit may be modified, or alternatively, revoked and reissued, to comply with any applicable effluent standard or limitations issued or approved under sections 301(b)(2)(c) and (D); 304(b)(2); and 307(a)(2) of the Clean Water Act, if the effluent standard or limitations so issued or approved:

- a) Contains different conditions or is otherwise more stringent than any effluent limitation in the permit; or
- b) Controls any pollutant not limited in the permit; or
- c) Requires reassessment due to change in 303(d) status of waterbody; or
- d) Incorporates the results of any total maximum daily load allocation, which may be approved for the receiving waterbody.

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At present, the **Monitoring Requirements, Sample Types, and Frequency of Sampling** as shown in the permit are standard for this type of facility.

| <u>Effluent Characteristics</u> | <u>Monitoring Requirements</u> | |
|---------------------------------|--------------------------------|--------------------|
| | <u>Measurement Frequency</u> | <u>Sample Type</u> |
| Flow | 1/week | Measure |
| BOD ₅ | 1/month | Grab |
| Total Suspended Solids | 1/month | Grab |
| Fecal Coliform Bacteria | 1/month | Grab |
| pH | 1/month | Grab |
| Priority Pollutants | 1/6 months | Grab |

XIII. TENTATIVE DETERMINATION:

On the basis of preliminary staff review, the Department of Environmental Quality has made a tentative determination to issue a new permit for the discharge described in this Statement of Basis.

XIV. REFERENCES:

Louisiana Water Quality Management Plan / Continuing Planning Process, Vol. 8, "Wasteload Allocations / Total Maximum Daily Loads and Effluent Limitations Policy," Louisiana Department of Environmental Quality, 2005.

Louisiana Water Quality Management Plan / Continuing Planning Process, Vol. 5, "Water Quality Inventory Section 305(b) Report," Louisiana Department of Environmental Quality, 1998.

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX - Water Quality Regulations, Chapter 11 - "Louisiana Surface Water Quality Standards," Louisiana Department of Environmental Quality, 2004.

Louisiana Administrative Code, Title 33 - Environmental Quality, Part IX - Water Quality Regulations, Subpart 2 - "The LPDES Program," Louisiana Department of Environmental Quality, 2004.

Low-Flow Characteristics of Louisiana Streams, Water Resources Technical Report No. 22, United States Department of the Interior, Geological Survey, 1980.

Index to Surface Water Data in Louisiana, Water Resources Basic Records Report No. 17, United States Department of the Interior, Geological Survey, 1989.

LPDES Permit Application to Discharge Wastewater, Bord's Septic Treatments, LLC, Bord's Septic Treatments, July 31, 2009.

